

REMARKS

Applicant has carefully studied the Final Office Action of August 24, 2005 and the Advisory Action of October 5, 2005. While Applicant disagrees with the representations set forth therein for the reasons set forth in the Response filed September 16, 2005, Applicant herein amends the independent claims to include the subject matter of claim 9 and that the display is made to a system administrator. Support for these amendments can be found in original claim 9 and page 4, lines 19-21 of the specification as originally filed. Claims 5, 18, 22, and 23 are amended for clarity and antecedent basis issues. No new matter is added.

Claims 1, 3-7, 9-10, 12, 14-18, and 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander in view of Prohaska. Claims 11 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander in view of Prohaska and further in view of Fujiwara. Applicant respectfully traverses. As the independent claims now include the subject matter of original claim 9, Applicant addresses the Patent Office's analysis of claim 9. Specifically, the Patent Office opines that Alexander displays an indication of the power in the optical signal, with Figure 3 of Alexander as proof.

Applicant respectfully traverses this assertion. Figure 3 of Alexander is a schematic representation of an optical spectrum and calculated power levels in the optical monitoring system of Figure 2 (See Alexander, col. 2, lines 20-22 and col. 5, lines 27-32). However, there is no monitor on which the spectrum of Figure 3 is displayed. Rather, this is Alexander's effort to help explain Alexander's invention. The optical spectrum is never displayed on a monitor as recited in the independent claims.

Even if Alexander does have a display (a point which Applicant does not concede), Alexander does not display to a system administrator as recited in Applicant's amended claims. Applicant's study of Alexander shows no such teaching or suggestion in Alexander. If the Patent Office disagrees, Applicant requests that the Patent Office identify with particularity where the element is taught.

In short, Alexander does not show two of the elements recited in amended independent claims 1, 12, and 20. Prohaska likewise does not teach or suggest the two elements in the amended claims. Since the references individually do not teach or suggest the amended claims, the combination of references cannot teach or suggest the elements in the amended independent

claims. Since the combination does not teach or suggest the elements in the amended independent claims, the combination does not establish obviousness. MPEP § 2143.03.

Since the combination does not establish obviousness for the independent claims, the combination cannot establish obviousness for the dependent claims. Therefore, applicant requests withdrawal of the § 103 rejection of claims 1, 3-7, 10-12, 14-18, and 20-23 at this time.

Applicant requests reconsideration of the rejection in light of the amendments and remarks presented herein. The combination of references does not teach or suggest displaying an indication of power level to the system administrator. Applicant earnestly solicits claim allowance at the Examiner's earliest convenience.

Respectfully submitted,

WITHROW & TERRANOVA, P.L.L.C.

By:

Benjamin S. Withrow
Registration No. 40,876
P.O. Box 1287
Cary, NC 27512
Telephone: (919) 654-4520

Date: October 21, 2005
Attorney Docket: 7000-209

<p align="center">CERTIFICATE OF TRANSMISSION</p> <p>I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING TRANSMITTED VIA FACSIMILE ON THE DATE INDICATED BELOW TO:</p> <p>Examiner: <u>Wang, Qian Zhen</u> Art Unit: <u>2633</u> Fax: <u>571-273-8300</u></p> <p>_____ Melissa F. Wellington Name of Sender</p> <p><u>Melissa F. Wellington</u> Signature</p> <p>_____ October 21, 2005 Date of Transmission</p>
--